



Attorney Docket No.: 18097-030200
0106.005

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TARGETING OF GENETIC VACCINE VECTORS** the specification of which _____ is attached hereto or X was filed on February 10, 1999 as Application No. 09/247,886 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

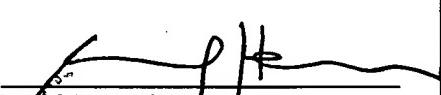
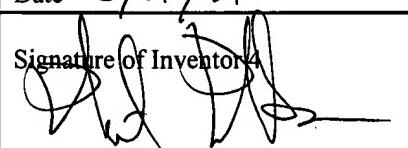
Application No.	Filing Date
60/074,294	February 11, 1998

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Last Name: PUNNONEN	First Name: JUHA	Middle Name or Initial:
Residence & Citizenship:	City: Palo Alto	State/Foreign Country: California	Country of Citizenship: Finland
Post Office Address:	Post Office Address: 4290 Wilkie Way, #P	City: Palo Alto	State/Country: California Postal Code: 94306
Full Name of Inventor 2:	Last Name: STEMMER	First Name: WILLEM	Middle Name or Initial: P.C.
Residence & Citizenship:	City: Los Gatos	State/Foreign Country: California	Country of Citizenship: The Netherlands
Post Office Address:	Post Office Address: 108 Kathy Court	City: Los Gatos	State/Country: California Postal Code: 95030
Full Name of Inventor 3:	Last Name: HOWARD	First Name: RUSSELL	Middle Name or Initial:
Residence & Citizenship:	City: Los Altos Hills	State/Foreign Country: California	Country of Citizenship: Australia
Post Office Address:	Post Office Address: Viscaino 12700 Viscayne Road <i>refta</i>	City: Los Altos Hills	State/Country: California Postal Code: 94022
Full Name of Inventor 4:	Last Name: PATTEN	First Name: PHILLIP	Middle Name or Initial: A.
Residence & Citizenship:	City: Menlo Park	State/Foreign Country: California	Country of Citizenship: United States
Post Office Address:	Post Office Address: 261 La Cuesta Drive	City: Menlo Park	State/Country: California Postal Code: 94028

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  JUHA PUNNONEN	Signature of Inventor 2  WILLEM P.C. STEMMER	Signature of Inventor 3  RUSSELL HOWARD
Date 3/31/99	Date 3-29-99	Date 3-30-99
Signature of Inventor 4  PHILLIP A. PATTEN	Signature of Inventor 5	Signature of Inventor 6
Date 3-31-99	Date	Date



Attorney Docket No. 18097-0302-00

D106.005

POWER OF ATTORNEY BY ASSIGNEE

Maxygen, Inc. is the Assignee of the invention entitled: TARGETING OF GENETIC VACCINE VECTORS, the specification of which _____ is attached hereto or X was filed on February 10, 1999 as Application Serial No. 09/247,886.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**William M. Smith, Reg. No. 30,223
Timothy L. Smith, Reg. No. 35,367
Randolph T. Apple, Reg. No. 36,429
Joe Liebeschuetz, Reg. No. 37,505
Norman J. Kruse, Reg. No. 35,235**

Send Correspondence to:	Direct Telephone Calls to: (Name, reg. no., tele. no.)
Timothy L. Smith TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8 th Floor San Francisco, CA 94111-3834	Timothy L. Smith Reg. No.: 35,367 (415) 576-0200

Maxygen, Inc.

Date: X 4-1-99

By: + / H
(Signature)

Name: X Russell J. Howard
Title: X President & CEO

SF 150969 v1
TLS/ mcd; DOC ID 205788

v1

Attorney Docket No. 18097-030200US

Client Ref. No. 0106.005



CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Juha Puhakka et al.

Application No.: 09/247,886 Filed: February 10, 1999

For: TARGETING OF GENETIC VACCINE VECTORS

Maxygen, Inc., a Delaware corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame(s) _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

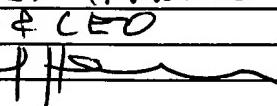
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 4-1-99

Name: Russell J. Howard

Title: President & CEO

Signature: 

SF 150638 v1/DOC ID 205791

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, **Juha Punnonen**, a citizen of Finland residing at 4290 Wilkie Way, #P, Palo Alto, California 94306; **Willem P.C. Stemmer**, a citizen of The Netherlands residing at 108 Kathy Court, Los Gatos, California; **Russell Howard**, a citizen of Australia residing at 12700 Viscayno Road, Los Altos Hills, California 94022; and **Phillip A. Patten**, a citizen of the U.S.A. residing at 261 La Cuesta Drive, Menlo Park, California 94028, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: TARGETING OF GENETIC VACCINE VECTORS

Date(s) of execution of Declaration: _____

Filing Date: February 10, 1999

Application No.: 09/247,886; and

WHEREAS, **Maxygen, Inc.**, a Delaware corporation, located at 515 Galveston Drive, Redwood City, California 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

DW

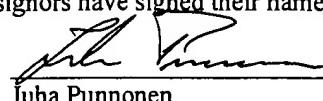
MJF

RECORDED

Assignment
Application No.: 09/247,886
Page 2

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

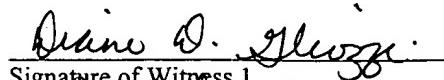
Dated: 3/31/99



Juha Punnonen

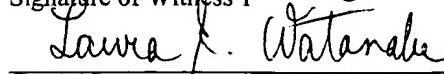
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(1) Date: 3/31/99



Signature of Witness 1

(2) Date: 3/31/99



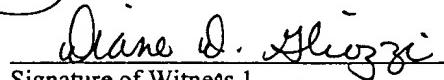
Signature of Witness 2

Dated: 3-29-99



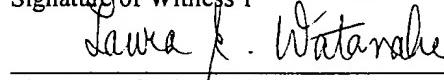
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(1) Date: 3/29/99



Signature of Witness 1

(2) Date: 3/29/99



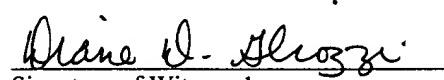
Signature of Witness 2

Dated: 3-30-99



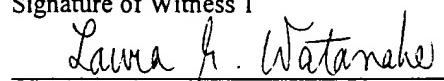
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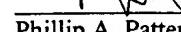
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(2) Date: 3/30/99



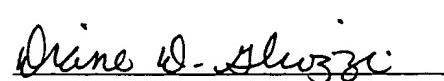
Signature of Witness 2

Dated: 3-31-99



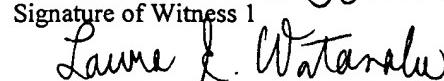
SIGNATURE WITNESSED BY:

(1) Date: 3/31/99



Signature of Witness 1

(2) Date: 3/31/99



Signature of Witness 2